IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 319 (SS) of 2002
(Old No. 2347/99)

Kripal Singh Kamboj,
aged about 64 years,
S/o Sri Durga Singh,
R/o H. No. 15/28, Mohalla Singhan,
Kashipur, District Udham Singh Nagar,
presently retired as Sanitary and Food
Inspector Nagar Palika Parishad, Kashipur

.....Petitioner.

Versus

1. State of U.P. through its Principal Secretary Local Self Department, Civil Secretariat, Lucknow.
2. Upper Ayukta (Administration) & Upper Nideshak Sthaniya Nikaya Kumayun Mandal, Nainatal.
3. Chairman Nagar Palika Parishad Tanakpur, District- Champawat.
4. Executive Officer, Nagar Palika Parishad Tanakpur, District- Champawat

..... Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri P.S. Rawat, learned counsel for the petitioner Smt. Beena Pandey, learned Standing Counsel for the respondent no. 1, learned Standing Counsel State of Uttarakhand for respondent no. 2 and Shri I. D. Paliwal for the respondent nos. 3 and 4.

By means of this writ petition, the petitioner has prayed for the following reliefs:-

i. issue a writ, order or direction in the nature of Mandamus commanding opposite parties no. 3 and 4 to pay the retiral benefits such as pension, P.F. and other allowances due to him since the date of his supernuation on 31.10.95.

ii. Issue a writ, order or direction in the nature of Mandamus commanding opposite parties no. 2 to

direct and order the opposite parties no. 3 and 4 to pay the arrears bills along with retiral benefits and also pay the bank rate interest on the total emoluments pending in the office of opposite parties no. 3 and 4 with retrospective effect.

iii. Issue writ, order or direction, which this Hon'ble Court deems fit, proper and just in favour of the petitioner commanding opposite parties to pay the pension and pensionary benefits.

iv. Allow the petition with cost.

From perusal of record, it appears that the writ petition has been filed by the petitioner for payment of retiral dues. The submission of the learned counsel for the petitioner is that he was retired as Sanitary Inspector, kashipur, Nagar Palika Parishad with effect from 31st October, 1995.

During the course of argument, the learned counsel for the petitioner has submitted that he has also not received salary for the month of 25th March 1994 to 31st March, 1994 and 1st June, 1994 to 30th June, 1994 amounting to Rs. 5,121.40 for Nagar Palika Parishad Tanakpur and balance amount of provident fund.

In the circumstances of the case, the Executive Officers, Nagar Palika Parishad, Tanakpur and Nagar Palika Parishad, Kashipur are directed to make payment of all the dues of the petitioner for which he is entitled, within a period of four months from the date of production of a certified copy of this order along with detail of dues to be paid to the petitioner.

With this direction, the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

29.03.2007
VKS